



Sen. M. Maggie Crotty

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09500HB1423sam003

LRB095 10695 RAS 36115 a

1 AMENDMENT TO HOUSE BILL 1423

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1423 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Elevator Safety and Regulation Act is  
5 amended by changing Sections 10, 15, 20, 25, 35, 40, 45, 55,  
6 70, 80, 85, 90, 100, 105, 110, and 120 as follows:

7 (225 ILCS 312/10)

8 (Section scheduled to be repealed on January 1, 2013)

9 Sec. 10. Applicability.

10 (a) This Act covers the ~~design,~~ construction, operation,  
11 inspection, testing, maintenance, alteration, and repair of  
12 the following equipment, its associated parts, and its  
13 hoistways (except as modified by subsection (c) of this  
14 Section):

15 (1) Hoisting and lowering mechanisms equipped with a  
16 car or platform, which move between 2 or more landings.

1 This equipment includes, but is not limited to, the  
2 following (also see ASME A17.1, ASME A17.3, ASME and A18.1~~7~~  
3 ~~and ANSI A10.4~~):

4 (A) Elevators.

5 (B) Platform lifts and stairway chair lifts.

6 (2) Power driven stairways and walkways for carrying  
7 persons between landings. This equipment includes, but is  
8 not limited to, the following (also see ASME A17.1 and ASME  
9 A17.3):

10 (A) Escalators.

11 (B) Moving walks.

12 (3) Hoisting and lowering mechanisms equipped with a  
13 car, which serves 2 or more landings and is restricted to  
14 the carrying of material by its limited size or limited  
15 access to the car. This equipment includes, but is not  
16 limited to, the following (also see ASME A17.1 and ASME  
17 A17.3):

18 (A) Dumbwaiters.

19 (B) Material lifts and dumbwaiters with automatic  
20 transfer devices.

21 (b) This Act covers the ~~design~~, construction, operation,  
22 inspection, maintenance, alteration, and repair of automatic  
23 guided transit vehicles on guideways with an exclusive  
24 right-of-way. This equipment includes, but is not limited to,  
25 automated people movers (also see ASCE 21).

26 (c) This Act does not apply to the following equipment:

- 1 (1) Material hoists within the scope of ANSI A10.5.
- 2 (2) ~~Belt manlifts~~ Manlifts within the scope of ASME  
3 A90.1.
- 4 (3) Mobile scaffolds, towers, and platforms within the  
5 scope of ANSI A92, ~~except those covered by ANSI A10.4.~~
- 6 (4) Powered platforms and equipment for exterior and  
7 interior maintenance within the scope of ANSI 120.1.
- 8 (5) Conveyors and related equipment within the scope of  
9 ASME B20.1.
- 10 (6) Cranes, derricks, hoists, hooks, jacks, and slings  
11 within the scope of ASME B30.
- 12 (7) Industrial trucks within the scope of ASME B56.
- 13 (8) Portable equipment, except for portable escalators  
14 that are covered by ANSI A17.1.
- 15 (9) Tiering or piling machines used to move materials  
16 to and from storage located and operating entirely within  
17 one story.
- 18 (10) Equipment for feeding or positioning materials at  
19 machine tools, printing presses, etc.
- 20 (11) Skip or furnace hoists.
- 21 (12) Wharf ramps.
- 22 (13) Railroad car lifts or dumpers.
- 23 (14) Line jacks, false cars, shafters, moving  
24 platforms, and similar equipment used for installing an  
25 elevator by a contractor licensed in this State.
- 26 (15) (Blank). ~~Railway and Transit Systems.~~

1           (16) Conveyances located in a private residence not  
2           accessible to the public.

3           (17) (Blank). ~~Special purpose personnel elevators.~~

4           (d) This Act does not apply to a municipality with a  
5           population over 500,000.

6           (Source: P.A. 94-698, eff. 11-22-05.)

7           (225 ILCS 312/15)

8           (Section scheduled to be repealed on January 1, 2013)

9           Sec. 15. Definitions. For the purpose of this Act:

10          "Administrator" means the Office of the State Fire Marshal.

11          "ANSI A10.4" means the safety requirements for personnel  
12          hoists, an American National Standard.

13          "ASCE 21" means the American Society of Civil Engineers  
14          Automated People Mover Standards.

15          "ASME A17.1" means the Safety Code for Elevators and  
16          Escalators, an American National Standard.

17          "ASME A17.3" means the Safety Code for Existing Elevators  
18          and Escalators, an American National Standard.

19          "ASME A18.1" means the Safety Standard for Platform Lifts  
20          and Stairway Chairlifts, an American National Standard.

21          "Automated people mover" means an installation as defined  
22          as an "automated people mover" in ASCE 21.

23          "Board" means the Elevator Safety Review Board.

24          "Certificate of operation" means a certificate issued by  
25          the Administrator that indicates that the conveyance has passed

1 the required safety inspection and tests and fees have been  
2 paid as set forth in this Act. ~~The Administrator may issue a~~  
3 ~~temporary certificate of operation that permits the temporary~~  
4 ~~use of a non-compliant conveyance by the general public for a~~  
5 ~~limited time of 30 days while minor repairs are being~~  
6 ~~completed.~~

7 "Conveyance" means any elevator, dumbwaiter, escalator,  
8 moving sidewalk, platform lifts, stairway chairlifts and  
9 automated people movers.

10 "Elevator" means an installation defined as an "elevator"  
11 in ASME A17.1.

12 "Elevator contractor" means any person, firm, or  
13 corporation who possesses an elevator contractor's license in  
14 accordance with the provisions of Sections 40 and 55 of this  
15 Act and who is engaged in the business of erecting,  
16 constructing, installing, altering, servicing, repairing, or  
17 maintaining elevators or related conveyance covered by this  
18 Act.

19 "Elevator contractor's license" means a license issued to  
20 an elevator contractor who has proven his or her qualifications  
21 and ability and has been authorized by the Elevator Safety  
22 Review Board to work on conveyance equipment ~~possess this type~~  
23 ~~of license~~. It shall entitle the holder thereof to engage in  
24 the business of ~~erecting,~~ constructing, installing, altering,  
25 servicing, testing, repairing, or maintaining and performing  
26 electrical work on elevators or related conveyances ~~conveyance~~

1 covered by this Act within any building or structure,  
2 including, but not limited to, private residences. The  
3 Administrator may issue a limited elevator contractor's  
4 license authorizing a firm or company that employs individuals  
5 to carry on a business of erecting, constructing, installing,  
6 altering, servicing, repairing, or maintaining platform lifts  
7 and stairway chairlifts within any building or structure,  
8 excluding private residences.

9 "Elevator helper" means an individual registered with the  
10 Administrator who works as an elevator helper. ~~Elevator helpers~~  
11 ~~must work~~ under the general direction ~~direct supervision~~ of a  
12 licensed elevator mechanic. Licensure is not required for an  
13 elevator helper.

14 "Elevator industry apprentice" means an individual who is  
15 enrolled in an apprenticeship program approved by the Bureau of  
16 Apprenticeship and Training of the U.S. Department of Labor and  
17 who is registered by the Administrator and works to perform  
18 ~~work within the elevator industry~~ under the general direction  
19 ~~direct supervision~~ of a licensed elevator mechanic. Licensure  
20 is not required for an elevator industry apprentice.

21 "Elevator inspector" means any ~~person~~ inspector, as that  
22 term is defined in ASME QEI, who possesses an elevator  
23 inspector's license in accordance with the provisions of this  
24 Act.

25 "Elevator mechanic" means any person who possesses an  
26 elevator mechanic's license in accordance with the provisions

1 of Sections 40 and 45 of this Act and who is engaged in  
2 erecting, constructing, installing, altering, servicing,  
3 repairing, or maintaining elevators or related conveyance  
4 covered by this Act.

5 "Elevator mechanic's license" means a license issued to a  
6 person who has proven his or her qualifications and ability and  
7 has been authorized by the Elevator Safety Review Board to work  
8 on conveyance equipment. It shall entitle the holder thereof to  
9 install, construct, alter, service, repair, test, maintain,  
10 and perform electrical work on elevators or related conveyance  
11 covered by this Act. The Administrator may issue a limited  
12 elevator mechanic's license authorizing an individual to carry  
13 on a business of erecting, constructing, installing, altering,  
14 servicing, repairing, or maintaining platform lifts and  
15 stairway chairlifts within any building or structure.

16 "Escalator" means an installation defined as an  
17 "escalator" in ASME A17.1.

18 "Existing installation" means an installation defined as  
19 an "installation, existing" in ASME A17.1.

20 "Inspector's license" or "inspection company license"  
21 means a license issued to an ASME QEI certified elevator  
22 inspector or inspection company that ~~a person who~~ has proven  
23 the inspector's or the company's ~~his or her~~ qualifications and  
24 ability and has been authorized by the Elevator Safety Review  
25 Board to possess this type of license. It shall entitle the  
26 holder thereof to engage in the business of inspecting

1 elevators or related conveyance covered by this Act.

2 "License" means a written license, duly issued by the  
3 Administrator, authorizing a person, firm, or company to carry  
4 on the business of erecting, constructing, installing,  
5 altering, servicing, repairing, maintaining, or performing  
6 inspections of elevators or related conveyance covered by this  
7 Act.

8 "Material alteration" means an "alteration", as defined in  
9 the referenced standards ~~by the Board.~~

10 "Moving walk" means an installation defined as a "moving  
11 walk" in ASME A17.1.

12 "Private residence" means a separate dwelling or a separate  
13 apartment or condominium unit in a multiple-family dwelling  
14 that is occupied by members of a single-family unit.

15 "Repair" has the meaning set forth in the referenced  
16 standards. ~~"Repair" defined by the Board, which~~ does not require  
17 a permit.

18 ~~"Special purpose personnel elevator" means an elevator~~  
19 ~~that is limited in size, capacity, and speed and that is~~  
20 ~~permanently installed in certain structures, including, but~~  
21 ~~not limited to, grain elevators, radio antenna, bridge towers,~~  
22 ~~underground facilities, dams, and power plants, to provide~~  
23 ~~vertical transportation of authorized personnel and their~~  
24 ~~tools and equipment only.~~

25 "Temporarily dormant" means an elevator, dumbwaiter, or  
26 escalator:

1 (1) with a power supply that has been disconnected by  
2 removing fuses and placing a padlock on the mainline  
3 disconnect switch in the "off" position;

4 (2) with a car that is parked and hoistway doors that  
5 are in the closed and latched position;

6 (3) with a wire seal on the mainline disconnect switch  
7 installed by a licensed elevator inspector;

8 (4) that shall not be used again until it has been put  
9 in safe running order and is in condition for use;

10 (5) requiring annual inspections for the duration of  
11 the temporarily dormant status by a licensed elevator  
12 inspector;

13 (6) that has a "temporarily dormant" status that is  
14 renewable on an annual basis, not to exceed a 5-year  
15 ~~one-year~~ period;

16 (7) requiring the inspector to file a report with the  
17 Administrator describing the current conditions; and

18 (8) with a wire seal and padlock that shall not be  
19 removed for any purpose without permission from the  
20 elevator inspector.

21 "Temporary certificate of operation" means a temporary  
22 certificate of operation issued by the Administrator that  
23 permits the temporary use of a non-compliant conveyance by the  
24 general public for a limited time of 30 days while minor  
25 repairs are being completed.

26 All other building transportation terms are as defined in

1 the latest edition of ASME A17.1 and ASME A18.1.

2 (Source: P.A. 94-698, eff. 11-22-05.)

3 (225 ILCS 312/20)

4 (Section scheduled to be repealed on January 1, 2013)

5 Sec. 20. License or registration required.

6 (a) After July 1, 2003 through the effective date of this  
7 amendatory Act of the 94th General Assembly and after July 1,  
8 2006, no person shall erect, construct, wire, alter, replace,  
9 maintain, remove, or dismantle any conveyance contained within  
10 buildings or structures in the jurisdiction of this State  
11 unless he or she possesses an elevator mechanic's license under  
12 this Act and unless he or she works under the direct  
13 supervision of a person, firm, or company having an elevator  
14 contractor's license in accordance with Section 40 of this Act  
15 ~~or exempted by that Section.~~ A licensed or limited licensed  
16 elevator mechanic employed by an entity exempted from  
17 contractor licensure under subsection (a) of Section 40 of this  
18 Act is exempt, with respect to work performed for that  
19 employer, from the requirement that he or she work under the  
20 direct supervision of an elevator contractor licensee. A  
21 ~~However, a~~ licensed elevator contractor is not required for  
22 removal or dismantling of conveyances that are destroyed as a  
23 result of a complete demolition of a secured building or  
24 structure or where the hoistway or wellway is demolished back  
25 to the basic support structure and where no access is permitted

1 that would endanger the safety and welfare of a person.

2 (b) After July 1, 2003 through the effective date of this  
3 amendatory Act of the 94th General Assembly and after July 1,  
4 2006, no person shall inspect any conveyance within buildings  
5 or structures, including, but not limited, ~~r~~ to, l private  
6 residences, unless he or she has an inspector's license or an  
7 inspection company license.

8 (c) (Blank). ~~After January 1, 2006, a person who is not~~  
9 ~~licensed under subsection (a) may not work in the jurisdiction~~  
10 ~~of this State as an elevator industry apprentice or helper~~  
11 ~~unless he or she is registered as an elevator industry~~  
12 ~~apprentice or helper by the Administrator and works under the~~  
13 ~~direct supervision of an individual licensed under this Act as~~  
14 ~~an elevator mechanic. The Administrator shall set elevator~~  
15 ~~industry apprenticeship and helper qualifications and~~  
16 ~~registration procedure by rule.~~

17 (Source: P.A. 94-698, eff. 11-22-05.)

18 (225 ILCS 312/25)

19 (Section scheduled to be repealed on January 1, 2013)

20 Sec. 25. Elevator Safety Review Board.

21 (a) There is hereby created within the Office of the State  
22 Fire Marshal the Elevator Safety Review Board, consisting of 14  
23 ~~13~~ members. The Administrator shall appoint 3 members who shall  
24 be representatives of fire service communities. The Governor  
25 shall appoint the remaining 11 ~~10~~ members of the Board as

1 follows: one representative from a major elevator  
2 manufacturing company or its authorized representative; one  
3 representative from an elevator servicing company; one  
4 representative of the architectural design profession; one  
5 representative of the general public; one representative of an  
6 advocacy group for people with physical disabilities; one  
7 representative of the senior citizen population; one  
8 representative of a municipality in this State with a  
9 population under 25,000; one representative of a municipality  
10 in this State with a population of 25,000 or over but under  
11 50,000; one representative of a municipality in this State with  
12 a population of 50,000 or over but under 500,000; one  
13 representative of a building owner or manager; and one  
14 representative of labor involved in the installation,  
15 maintenance, and repair of elevators.

16 (b) The members constituting the Board shall be appointed  
17 for initial terms as follows:

18 (1) Of the members appointed by the Administrator, 2  
19 shall serve for a term of 2 years, and one for a term of 4  
20 years.

21 (2) Of the members appointed by the Governor, 2 shall  
22 serve for a term of one year, 2 for terms of 2 years, 2 for  
23 terms of 3 years, and 4 for terms of 4 years. The  
24 representative of the senior citizen population shall  
25 serve an initial term of 4 years.

26 At the expiration of their initial terms of office, the

1 members or their successors shall be appointed for terms of 4  
2 years each. Upon the expiration of a member's term of office,  
3 the officer who appointed that member shall reappoint that  
4 member or appoint a successor who is a representative of the  
5 same interests with which his or her predecessor was  
6 identified. The Administrator and the Governor may at any time  
7 remove any of their respective appointees for inefficiency or  
8 neglect of duty in office. Upon the death or incapacity of a  
9 member, the officer who appointed that member shall fill the  
10 vacancy for the remainder of the vacated term by appointing a  
11 member who is a representative of the same interests with which  
12 his or her predecessor was identified. The members shall serve  
13 without salary, but shall receive from the State expenses  
14 necessarily incurred by them in performance of their duties.  
15 The Governor shall appoint one of the members to serve as  
16 chairperson. The chairperson shall be the deciding vote in the  
17 event of a tie vote.

18 (Source: P.A. 94-698, eff. 11-22-05.)

19 (225 ILCS 312/35)

20 (Section scheduled to be repealed on January 1, 2013)

21 Sec. 35. Powers and duties of the Board.

22 (a) The Board shall consult with engineering authorities  
23 and organizations and adopt rules consistent with the  
24 provisions of this Act for the administration and enforcement  
25 of this Act. The Board may prescribe forms to be issued in

1 connection with the administration and enforcement of this Act.  
2 The rules shall establish standards and criteria consistent  
3 with this Act for licensing of elevator mechanics, inspectors,  
4 and installers of elevators, including the provisions of the  
5 Safety Code for Elevators and Escalators (ASME A17.1), the  
6 Safety Code for Existing Elevators (ASME A17.3), the Standard  
7 for the Qualification of Elevator Inspectors (ASME QEI-1), the  
8 Automated People Mover Standards (ASCE 21), the Safety  
9 Requirements for Personnel Hoists and Employee Elevators (ANSI  
10 A10.4), and the Safety Standard for Platform Lifts and Stairway  
11 Chairlifts (ASME A18.1). The Board shall adopt the latest  
12 editions of the standards referenced in this subsection (a)  
13 within 6 months after the effective date of the standards.

14 (b) The Board shall have the authority to grant exceptions  
15 and variances from the literal requirements of applicable State  
16 codes, standards, and regulations in cases where such variances  
17 would not jeopardize the public safety and welfare. The Board  
18 shall have the authority to hear appeals, hold hearings, and  
19 decide upon such within 30 days of the appeal.

20 (c) The Board shall establish fee schedules for licenses,  
21 permits, certificates, and inspections. The fees shall be set  
22 at an amount necessary to cover the actual costs and expenses  
23 to operate the Board and to conduct the duties as described in  
24 this Act.

25 (d) The Board shall be authorized to recommend the  
26 amendments of applicable legislation, when appropriate, to

1 legislators.

2 (e) The Administrator may solicit the advice and expert  
3 knowledge of the Board on any matter relating to the  
4 administration and enforcement of this Act.

5 (f) The Administrator may employ professional, technical,  
6 investigative, or clerical help, on either a full-time or  
7 part-time basis, as may be necessary for the enforcement of  
8 this Act.

9 (g) (Blank).

10 (Source: P.A. 94-698, eff. 11-22-05.)

11 (225 ILCS 312/40)

12 (Section scheduled to be repealed on January 1, 2013)

13 Sec. 40. Application for contractor's license.

14 (a) Any person, firm, or company wishing to engage in the  
15 business of installing, altering, repairing, servicing,  
16 replacing, or maintaining elevators, dumbwaiters, escalators,  
17 or moving walks within this State shall make application for a  
18 license with the Administrator. However, if the State, a unit  
19 of local government, or an institution of higher education  
20 maintains in its employ licensed or limited licensed elevator  
21 mechanics who maintain only conveyances owned or leased by that  
22 entity, the employing entity is not required to be licensed as  
23 a contractor under this Section and none of the provisions of  
24 this Act concerning licensed contractors shall apply to these  
25 entities.

1 (b) All applications shall contain the following  
2 information:

3 (1) if the applicant is a person, the name, residence,  
4 and business address of the applicant;

5 (2) if the applicant is a partnership, the name,  
6 residence, and business address of each partner;

7 (3) if the applicant is a domestic corporation, the  
8 name and business address of the corporation and the name  
9 and residence address of the principal officer of the  
10 corporation;

11 (4) if the applicant is a corporation other than a  
12 domestic corporation, the name and address of an agent  
13 locally located who shall be authorized to accept service  
14 of process and official notices;

15 (5) the number of years the applicant has engaged in  
16 the business of installing, inspecting, maintaining, or  
17 servicing elevators or platform lifts or both;

18 (6) if applying for an elevator contractor's license,  
19 the approximate number of persons, if any, to be employed  
20 by the elevator contractor applicant and, if applicable,  
21 satisfactory evidence that the employees are or will be  
22 covered by workers' compensation insurance;

23 (7) satisfactory evidence that the applicant is or will  
24 be covered by general liability, personal injury, and  
25 property damage insurance;

26 (8) any criminal record of convictions; and

1           (9) any other information as the Administrator may  
2           require.

3           (c) (Blank).

4           (Source: P.A. 94-698, eff. 11-22-05.)

5           (225 ILCS 312/45)

6           (Section scheduled to be repealed on January 1, 2013)

7           Sec. 45. Qualifications for elevator mechanic's license;  
8           emergency and temporary licensure.

9           (a) No license shall be granted to any person who has not  
10          paid the required application fee.

11          (b) No license shall be granted to any person who has not  
12          proven his or her qualifications and abilities.

13          (c) Applicants for an elevator mechanic's license must  
14          demonstrate one of the following qualifications:

15               (1) an acceptable combination of documented experience  
16               and education credits consisting of: (A) not less than 3  
17               years work experience in the elevator industry, in  
18               construction, maintenance, or ~~and~~ service and ~~or~~ repair, as  
19               verified by current and previous employers licensed to do  
20               business in this State or in another state if the Board  
21               deems that out-of-State experience equivalent; and (B)  
22               satisfactory completion of a written examination  
23               administered by the Elevator Safety Review Board or its  
24               designated provider on the adopted rules and, ~~7~~ referenced  
25               codes, ~~and standards for the equipment the licensee is~~

1 ~~authorized to install;~~

2 (2) acceptable proof that he or she has worked as an  
3 elevator constructor, maintenance, or repair person ~~for~~  
4 ~~the equipment the licensee is authorized to install;~~  
5 acceptable proof shall consist of documentation that he or  
6 she worked without direct and immediate supervision for an  
7 elevator contractor who has worked on elevators in this  
8 State for a period of not less than 3 years immediately  
9 preceding the effective date of the final ~~initial~~ rules  
10 adopted by the Board under Section 35 of this Act that  
11 implement this Act; the person must make application by  
12 December 31, 2007; however, all licenses issued under the  
13 provisions of this item (2) between May 1, 2006 and the  
14 effective date of this amendatory Act of the 95th General  
15 Assembly are deemed valid;

16 (3) a certificate of successful completion of the  
17 mechanic examination of a nationally recognized training  
18 program for the elevator industry, such as the National  
19 Elevator Industry Educational Program or its equivalent  
20 ~~based on the codes applicable to the type of license~~  
21 ~~(elevator mechanic's license or limited elevator~~  
22 ~~mechanic's license) for which the individual is applying;~~

23 (4) a certificate of completion of an elevator mechanic  
24 apprenticeship program with standards substantially equal  
25 to those of this Act and registered with the Bureau of  
26 Apprenticeship and Training, U.S. Department of Labor, or a

1 State apprenticeship council; or

2 (5) a valid license from a state having standards  
3 substantially equal to those of this State.

4 (d) Whenever an emergency exists in the State due to a  
5 disaster, act of God, or work stoppage and the number of  
6 persons in the State holding licenses granted by the Board is  
7 insufficient to cope with the emergency, the licensed elevator  
8 contractor shall respond as necessary to ensure the safety of  
9 the public. Any person certified by a licensed elevator  
10 contractor to have an acceptable combination of documented  
11 experience and education to perform elevator work without  
12 direct and immediate supervision shall seek an emergency  
13 elevator mechanic's license from the Administrator within 5  
14 business days after commencing work requiring a license. The  
15 Administrator shall issue emergency elevator mechanic's  
16 licenses. The applicant shall furnish proof of competency as  
17 the Administrator may require. Each license shall recite that  
18 it is valid for a period of 60 ~~30~~ days from the date thereof and  
19 for such particular elevators or geographical areas as the  
20 Administrator may designate and otherwise shall entitle the  
21 licensee to the rights and privileges of an elevator mechanic's  
22 license issued under this Act. The Administrator shall renew an  
23 emergency elevator mechanic's license during the existence of  
24 an emergency. No fee may be charged for any emergency elevator  
25 mechanic's license or renewal thereof.

26 (e) A licensed elevator contractor shall notify the

1 Administrator when there are no licensed personnel available to  
2 perform elevator work. The licensed elevator contractor may  
3 request that the Administrator issue temporary elevator  
4 mechanic's licenses to persons certified by the licensed  
5 elevator contractor to have an acceptable combination of  
6 documented experience and education to perform elevator work  
7 without direct and immediate supervision. Any person certified  
8 by a licensed elevator contractor to have an acceptable  
9 combination of documented experience and education to perform  
10 elevator work without direct and immediate supervision shall  
11 immediately seek a temporary elevator mechanic's license from  
12 the Administrator and shall pay such fee as the Board shall  
13 determine. The applicant for temporary licensure shall furnish  
14 proof of competency as the Administrator may require ~~and for~~  
15 ~~such particular elevators or geographical areas as the~~  
16 ~~Administrator may designate~~. Each license shall recite that it  
17 is valid for a period of 30 days from the date of issuance and  
18 while employed by the licensed elevator contractor that  
19 certified the individual as qualified. It shall be renewable as  
20 long as the shortage of license holders continues.

21 (Source: P.A. 94-698, eff. 11-22-05.)

22 (225 ILCS 312/55)

23 (Section scheduled to be repealed on January 1, 2013)

24 Sec. 55. Qualifications for elevator contractor's license.

25 (a) No license shall be granted to any person or firm

1 unless the appropriate application fee is paid.

2 (b) No license shall be granted to any person or firm who  
3 has not proven the required qualifications and abilities. An  
4 applicant must be individually licensed as an elevator mechanic  
5 under this Act, perform the work set forth in subsection (a) of  
6 Section 20 of this Act, and have proof of compliance with the  
7 insurance requirements set forth in Section 100 of this Act or,  
8 in the case of a firm, employ a person who is individually  
9 licensed as an elevator mechanic under this Act, perform the  
10 work set forth in subsection (a) of Section 20 of this Act, and  
11 have proof of compliance with the insurance requirements set  
12 forth in Section 100 of this Act. ~~demonstrate one of the~~  
13 ~~following qualifications:~~

14 ~~(1) five years work experience in the elevator industry~~  
15 ~~in construction, maintenance, and service or repair, as~~  
16 ~~verified by such documentation as the Board may require by~~  
17 ~~rule;~~

18 ~~(1.5) satisfactory completion of a written examination~~  
19 ~~administered by the Elevator Safety Review Board or its~~  
20 ~~designated provider on the most recent referenced codes and~~  
21 ~~standards; or~~

22 ~~(2) proof that the individual or firm holds a valid~~  
23 ~~license from a state having standards substantially equal~~  
24 ~~to those of this State.~~

25 (c) (Blank).

26 (Source: P.A. 94-698, eff. 11-22-05.)

1 (225 ILCS 312/70)

2 (Section scheduled to be repealed on January 1, 2013)

3 Sec. 70. Administrative Procedure Act. The Illinois  
4 Administrative Procedure Act is hereby expressly adopted and  
5 incorporated herein as if all of the provisions of that Act  
6 were included in this Act, ~~except that the provision of~~  
7 ~~subsection (d) of Section 10-65 of the Illinois Administrative~~  
8 ~~Procedure Act that provides that at hearings the licensee has~~  
9 ~~the right to show compliance with all lawful requirements for~~  
10 ~~retention, or continuation or renewal of the license, is~~  
11 ~~specifically excluded.~~ For the purposes of this Act, the notice  
12 required under Section 10-25 of the Illinois Administrative  
13 Procedure Act is deemed sufficient when mailed to the last  
14 known address of a party.

15 (Source: P.A. 92-873, eff. 6-1-03.)

16 (225 ILCS 312/80)

17 (Section scheduled to be repealed on January 1, 2013)

18 Sec. 80. Registration of existing elevators, platform  
19 lifts, dumbwaiters, escalators, moving walks, and any other  
20 conveyance. Within 6 months after the date of the adoption of  
21 the final ~~initial~~ rules that implement this Act, the owner or  
22 lessee of every existing conveyance shall register with the  
23 Administrator each elevator, dumbwaiter, platform lift,  
24 escalator, or other device described in Section 10 of this Act

1 and provide the type, rated load and speed, name of  
2 manufacturer, its location, the purpose for which it is used,  
3 and such additional information as the Administrator may  
4 require. Elevators, dumbwaiters, platform lifts, escalators,  
5 moving walks, or other conveyances of which construction has  
6 begun subsequent to the date of the creation of the Board shall  
7 be registered at the time they are completed and placed in  
8 service.

9 (Source: P.A. 94-698, eff. 11-22-05.)

10 (225 ILCS 312/85)

11 (Section scheduled to be repealed on January 1, 2013)

12 Sec. 85. Compliance. It shall be the responsibility of  
13 individuals, firms, or companies licensed as described in this  
14 Act to ensure that installation or service and maintenance of  
15 elevators and devices described in Section 10 of this Act is  
16 performed in compliance with the provisions contained in this  
17 Act and applicable fire and building codes ~~local regulations~~.

18 (Source: P.A. 92-873, eff. 6-1-03.)

19 (225 ILCS 312/90)

20 (Section scheduled to be repealed on January 1, 2013)

21 Sec. 90. Permits.

22 (a) No conveyance covered by this Act shall be erected,  
23 constructed, installed, or altered within buildings or  
24 structures within this State unless a permit has been obtained

1 from the Administrator or a municipality or other unit of local  
2 government before the work is commenced. If the permit is  
3 obtained from a municipality or other unit of local government,  
4 the municipality or other unit of local government that issued  
5 the permit shall keep the permit on file for a period of not  
6 less than one year from the date of issuance and send a copy to  
7 the Administrator for inspection. Where any material  
8 alteration is made, the device shall conform to applicable  
9 requirements in ASME A17.1, ASME A18.1, or ASCE 21, ~~or ANSI~~  
10 ~~A10.4~~. No permit required under this Section shall be issued  
11 except to a person, firm, or corporation holding a current  
12 elevator contractor's license, duly issued pursuant to this  
13 Act, except that a permit to alter a conveyance may be issued  
14 to an entity exempted from licensure under subsection (a) of  
15 Section 40 of this Act. A copy of the permit shall be kept at  
16 the construction site at all times while the work is in  
17 progress.

18 (b) The permit fee shall be as set by the Board. Permit  
19 fees collected are non-refundable.

20 (c) Each application for a permit shall be accompanied by  
21 applicable fees and by copies of specifications and accurately  
22 scaled and fully dimensioned plans showing the location of the  
23 installation in relation to the plans and elevation of the  
24 building, the location of the machinery room and the equipment  
25 to be installed, relocated, or altered, and all structural  
26 supporting members thereof, including foundations. The

1 applicant shall also specify all materials to be employed and  
2 all loads to be supported or conveyed. These plans and  
3 specifications shall be sufficiently complete to illustrate  
4 all details of construction and design.

5 (d) Permits may be revoked for the following reasons:

6 (1) Any false statements or misrepresentation as to the  
7 material facts in the application, plans, or  
8 specifications on which the permit was based.

9 (2) The permit was issued in error and should not have  
10 been issued in accordance with the code.

11 (3) The work detailed under the permit is not being  
12 performed in accordance with the provisions of the  
13 application, plans, or specifications or with the code or  
14 conditions of the permit.

15 (4) The elevator contractor to whom the permit was  
16 issued fails or refuses to comply with a "stop work" order.

17 (5) If the work authorized by a permit is not commenced  
18 within 6 months after the date of issuance, or within a  
19 shorter period of time as the Administrator or his or her  
20 duly authorized representative in his or her discretion may  
21 specify at the time the permit is issued.

22 (6) If the work is suspended or abandoned for a period  
23 of 60 days, or shorter period of time as the Administrator  
24 or his or her duly authorized representative in his or her  
25 discretion may specify at the time the permit is issued,  
26 after the work has been started. For good cause, the

1 Administrator or his or her representative may allow an  
2 extension of this period at his or her discretion.

3 (e) (Blank).

4 (Source: P.A. 94-698, eff. 11-22-05.)

5 (225 ILCS 312/100)

6 (Section scheduled to be repealed on January 1, 2013)

7 Sec. 100. Insurance requirements.

8 (a) Elevator contractors shall submit to the Administrator  
9 an insurance policy or certified copy thereof, issued by an  
10 insurance company authorized to do business in the State, to  
11 provide general liability coverage of at least \$1,000,000  
12 ~~\$2,000,000~~ for injury or death of any ~~one person and \$2,000,000~~  
13 ~~for injury or death of any~~ number of persons in any one  
14 occurrence, with coverage of at least \$500,000 ~~\$1,000,000~~ for  
15 property damage in any one occurrence and statutory workers  
16 compensation insurance coverage.

17 (b) Private elevator inspectors shall submit to the  
18 Administrator an insurance policy or certified copy thereof,  
19 issued by an insurance company authorized to do business in the  
20 State, to provide general liability coverage of at least  
21 \$1,000,000 ~~\$2,000,000~~ for injury or death of any ~~one person and~~  
22 ~~\$2,000,000 for injury or death of any~~ number of persons in any  
23 one occurrence, with coverage of at least \$500,000 ~~\$1,000,000~~  
24 for property damage in any one occurrence and statutory workers  
25 compensation insurance coverage.

1 (c) These policies, or duly certified copies thereof, or an  
2 appropriate certificate of insurance, approved as to form by  
3 the Department of Insurance, shall be delivered to the  
4 Administrator before or at the time of the issuance of a  
5 license. In the event of a material alteration or cancellation  
6 of a policy, at least 10 days notice thereof shall be given to  
7 the Administrator.

8 (Source: P.A. 92-873, eff. 6-1-03.)

9 (225 ILCS 312/105)

10 (Section scheduled to be repealed on January 1, 2013)

11 Sec. 105. Enforcement.

12 (a) It shall be the duty of the Elevator Safety Review  
13 Board to develop an enforcement program to ensure compliance  
14 with rules and requirements referenced in this Act. This shall  
15 include, but shall not be limited to, rules for identification  
16 of property locations that are subject to the rules and  
17 requirements; issuing notifications to violating property  
18 owners or operators, random on-site inspections, ~~policies for~~  
19 ~~administrative penalties,~~ and tests on existing installations;  
20 witnessing periodic inspections and testing in order to ensure  
21 satisfactory performance by licensed persons, firms, or  
22 companies; and assisting in development of public awareness  
23 programs.

24 (b) Any person may make a request for an investigation into  
25 an alleged violation of this Act by giving notice to the

1 Administrator of such violation or danger. The notice shall be  
2 in writing, shall set forth with reasonable particularity the  
3 grounds for the notice, and shall be signed by the person  
4 making the request. Upon the request of any person signing the  
5 notice, the person's name shall not appear on any copy of the  
6 notice or any record published, released, or made available.

7 (c) If, upon receipt of such notification, the  
8 Administrator determines that there are reasonable grounds to  
9 believe that such violation or danger exists, the Administrator  
10 shall cause to be made an investigation in accordance with the  
11 provisions of this Act as soon as practicable to determine if  
12 such violation or danger exists. If the Administrator  
13 determines that there are no reasonable grounds to believe that  
14 a violation or danger exists, he or she shall notify the party  
15 in writing of such determination.

16 (d) (Blank).

17 (Source: P.A. 94-698, eff. 11-22-05.)

18 (225 ILCS 312/110)

19 (Section scheduled to be repealed on January 1, 2013)

20 Sec. 110. Liability.

21 (a) This Act shall not be construed to relieve or lessen  
22 the responsibility or liability of any person, firm, or  
23 corporation owning, operating, controlling, maintaining,  
24 erecting, constructing, installing, altering, inspecting,  
25 testing, or repairing any elevator or other related mechanisms

1 covered by this Act for damages to person or property caused by  
2 any defect therein, nor does the State or any unit of local  
3 government assume any such liability or responsibility  
4 therefore or any liability to any person for whatever reason  
5 whatsoever by the adoption of this Act or any acts or omissions  
6 arising under this Act.

7 (b) Any owner or lessee who violates any of the provisions  
8 of this Act is guilty of a Class C misdemeanor ~~shall be fined~~  
9 ~~in an amount not to exceed \$1,500 per violation, per day.~~

10 (c) (Blank). ~~Compliance with this Act is not a defense to a~~  
11 ~~legal proceeding.~~

12 (Source: P.A. 94-698, eff. 11-22-05.)

13 (225 ILCS 312/120)

14 (Section scheduled to be repealed on January 1, 2013)

15 Sec. 120. Inspection and testing.

16 (a) It shall be the responsibility of the owner of all new  
17 and existing conveyances located in any building or structure  
18 to have the conveyance inspected annually, ~~at intervals~~  
19 ~~determined by the Board~~, by a person, firm, or company to which  
20 a license to inspect conveyances has been issued. Subsequent to  
21 inspection, the licensed person, firm, or company must supply  
22 the property owner or lessee and the Administrator with a  
23 written inspection report describing any and all code  
24 violations. Property owners shall have 30 days from the date of  
25 the published inspection report to be in full compliance by

1 correcting the violations. The Administrator shall determine  
2 whether such violations have been corrected and may extend the  
3 compliance dates for good cause, provided that such violations  
4 are minor and pose no threat to public safety.

5 (b) It shall be the responsibility of the owner of all  
6 conveyances to have a licensed elevator contractor, as defined  
7 in this Act, ensure that the required tests are performed at  
8 intervals in compliance with the ASME A 17.1, ASME A 18.1 and  
9 ASCE 21 (Blank).

10 (c) All tests shall be performed by a licensed elevator  
11 mechanic ~~or licensed limited elevator mechanic who is licensed~~  
12 ~~to perform work on that particular type of conveyance.~~

13 (Source: P.A. 94-698, eff. 11-22-05.)

14 (225 ILCS 312/130 rep.)

15 Section 10. The Elevator Safety and Regulation Act is  
16 amended by repealing Section 130.

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law."